

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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SANJAY SOOKUL, on behalf of himself and all
others similarly situated,

Plaintiff,

-against-

23 **CIVIL** 10164 (GHW)

JUDGMENT

FRESH CLEAN THREADS, INC.,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion & Order dated October 16, 2024, the Court finds that Plaintiff has standing to bring his claim against Defendant under Title III of the ADA. Defendant's Rule 12(b)(1) motion to dismiss is therefore DENIED. On the other hand, the Court finds that Plaintiff has failed to state a claim under Title III of the ADA because Defendant's standalone website is not a "place of public accommodation" subject to Title III's protections. Defendant's Rule 12(b)(6) motion to dismiss is therefore GRANTED. Plaintiff's claim under the ADA is dismissed with prejudice. Plaintiff's claims under the NYSHRL, NYSCRL, and NYCHRL are dismissed without prejudice. Judgment is entered for Defendant; accordingly, the case is closed.

Dated: New York, New York

October 16, 2024

DANIEL ORTIZ

Acting Clerk of Court

BY:

K. mango

Deputy Clerk